

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gerard *et al.*

Appl. No. 09/245,026

Filed: February 5, 1999

For: **Compositions and Methods for
Reverse Transcription of Nucleic
Acid Molecules**

Art Unit: 1637

Examiner: Strzelecka, T.

Atty. Docket: 0942.4330004/RWE/MTT

Declaration Concerning the Deposited Biological Material

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

I, Alan W. Hammond, on behalf of Invitrogen Corporation, having business concerns at 1600 Faraday Avenue, Carlsbad, California 92008, declare and state as follows:

Escherichia coli DH10B(pDABH-His) was deposited under the terms of the Budapest Treaty on April 15, 1997. This deposit was made at the Agricultural Research Culture Collection (NRRL) International Depositary Authority, 1815 N. University Street, Peoria, Illinois 61604, and given accession number NRRL B-21679. *Escherichia coli* (pDAMVABH-) was deposited under the terms of the Budapest Treaty on June 17, 1997. This deposit was made at the Agricultural Research Culture Collection (NRRL) International Depositary Authority, 1815 N. University Street, Peoria, Illinois 61604, and given accession number NRRL B-21790.

Assurance is hereby given that: (1) all restrictions on the availability to the public of the deposited materials will be irrevocably removed upon the granting of a patent, subject to 37 C.F.R § 1.808(b); (2) the materials have been deposited under conditions such that access to the material will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto; and (3) the deposits will be maintained with all of the care

necessary to keep them viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposit, and in any case, for a period of at least thirty years after the date of deposit or for the enforceable life of the patent, whichever period is longer.

I have read and understood 37 C.F.R. § 10.18(b) and (c).

Respectfully submitted,

Date: October 2, 2002

By: Alan W. Hammond

Alan W. Hammond, Esquire
Chief Intellectual Property Counsel
Invitrogen Corporation

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Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: Gerry et al.Application No./Patent No.: 09/245,025Filed/Issue Date: February 5, 1999Entitled: Compositions of Reverse Transcriptases and Mutants ThereofInvitrogen Corporation

(Name of Assignee)

a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest, or
2. an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: Gary F. Gerard, Michael D. Smith and Deb K. Chatterjee

To: Life Technologies, Inc.

The document was recorded in the Patent and Trademark Office at Reel 9353, Frame 0181, or for which a copy thereof is attached.

2. From: Life Technologies, Inc. To: Invitrogen Corporation

The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Signature: Alan W. HammondName: Alan W. HammondTitle: Chief Intellectual Property CounselDate: May 27, 2003



COPY

Applicants: Gerard *et al.*

Application No.: 09/245,025

Filed: February 5, 1999

For: Compositions of Reverse Transcriptases and Mutants Thereof

Due Date: August 19, 2003

Art Unit: 1652

Examiner: Nashed, N.T.

Docket: 0942.4330003

Atty: RWE/HCC

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF Cover Letter;
2. Fee Transmittal Form (PTO/SB/17);
3. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Amendment and Reply Under 37 C.F.R. § 1.116 with attachments;
5. A copy of the Declaration Concerning the Deposited Biological Material;
6. An executed Certificate Under C.F.R. § 3.73(b);
7. PTO Credit Card Form in the amount of \$110.00 to cover the one month Extension of Time fee; and
8. One return postcard.

Please Date Stamp And Return To Our Courier

SKGF_DC1:165038.1

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